

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the Office Action of August 17, 2006 is respectfully requested.

In the outstanding Office Action, the Examiner rejected all of the pending claims under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the Examiner noted that independent claim 1 and several of the dependent claims described a relationship between temperatures, but did not specify the standard scale for the temperature. Thus, the Examiner asserted that the scope of the claims could not be accurately determined.

In response to the Examiner's formal rejections, the specification and claims have now been amended as indicated above so as to indicate the temperature scale. Specifically, claims 1 through 3 and several of the pages of the specification have now been amended as indicated above to explicitly indicate that the temperature relationships are set forth with respect to the *Kelvin* scale.

It is submitted that the changes to the specification and claims do not constitute new matter because, although not *explicitly* set forth in the original disclosure, it would nonetheless be clearly understood by one of ordinary skill in the art based on the original disclosure that the temperature relationships set forth in the original disclosure employ the Kelvin temperature scale. As evidence of this fact, a Declaration executed by professor Bernhard Geringer of the Vienna University of Technology has been submitted herewith. This Declaration clearly indicates that one of ordinary skill in the art would clearly recognize, based on the original disclosure, that the temperatures referred to in the original disclosure were in the Kelvin scale. Thus, the amendments to the specification and claims merely serve to explicitly indicate what was originally implicitly taught in the disclosure. Accordingly, the Examiner is respectfully requested to enter the amendments to the specification and claims as indicated above.

In view of the above amendments to the specification and claims, it is respectfully submitted that the Examiner's formal rejections under § 112, second paragraph, have been overcome. Furthermore, for the reasons set forth in the Amendment filed May 23, 2006, it is

respectfully submitted that the claims are clearly patentable over the prior art. Consequently, the Applicants submit that claims 1-26, 29-34, and 37-45 are now in condition for allowance.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. However, if the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact the Applicant's undersigned representative.

Respectfully submitted,

Gunther HERDIN et al.

By: 

W. Douglas Hahm
Registration No. 44,142
Attorney for Applicants

WDH/ck
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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